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Kim Landers <small>Type or print name of person signing certification</small>	<small>Signature</small> June 22, 2006 <small>Date</small>

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant:	CHANG, Chin-Ming	Group Art Unit:	1654
Serial No.:	10/055,509	Examiner:	A. Gupta
Application Date:	January 23, 2002	Conf No.:	9159
For:	STABILIZED TERIPARATIDE SOLUTIONS		
Docket No.:	X10911A		

PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 C.F.R. 1.313(c)

Office of Petitions

Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

PETITION

Pursuant to 37 C.F.R. 1.313(c)(2), Applicants respectfully petition for withdrawal of the current case to allow consideration of the enclosed RCE. Allowed claim 47 inadvertently includes glycine in the list of stabilizers. The amendment provided with the RCE deletes glycine from the claim. In addition, U.S. Patent 5,607,915 (Patton), U.S. Patent 4,698,328 (Neer), U.S. Patent 6,454,746 (Bydlon), U.S. Patent 5,891,086 (Weston), U.S. Patent 5,616,560 (Geddes) and WO 94/08613 (Bagnoli) were cited in related cases Serial No. 09/555,476, now U.S. Patent 6,770,623, and Serial No. 10/427,259 (Attorney Docket X-10911B), which were handled by the same Examiner.

However, these references have not been formally made of record in the present case, and

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Serial No. 10/055,509

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the IDS submitted with the RCE assures that they are officially considered and of record in this case.

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PATENT ISSUE FEE

The issue fee for this case has been paid on May 11, 2006.

REASON FOR WITHDRAWAL REQUEST

The reason for the request for withdrawal from issue is:

(b) consideration of a request for continued examination under 37 C.F.R. § 1.114

AMENDMENT

Accompanying this petition is an RCE and an amendment.

PETITION FEES

The fee set forth in 37 C.F.R. § 1.17(h), required by 37 C.F.R. § 1.313(a) is \$130.00. Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 05-0840

Respectfully submitted,



Thomas D. Webster, PhD, JD
Attorney for Applicants
Registration No. 39,872
Phone: 317-276-3334

Eli Lilly and Company
Patent Division
P.O. Box 6288
Indianapolis, Indiana 46206-6288

June 22, 2006

Lilly

Fax Cover Sheet

LRL Law

Eli Lilly and Company
Lilly Corporate Center
Indianapolis, Indiana 46285
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From: TOM WEBSTER
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Phone: 317-276-3334
Total Pages (including cover): 19

RE: Serial No: 10/055,509
Title: Stabilized Teriparatide Solutions
Docket No.: X-10911A

Attached for filing in above-referenced application are:

1. Petition for Withdrawal From ISSUE
2. RCE Transmittal
3. Preliminary Amendment
4. Information Disclosure Statement
5. Form 1449 (US 5,607,915)

Thank you!

THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE (COLLECT), AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA U.S. POSTAL SERVICE.

If there are any problems with this transmittal, please call Kim Landers at 317-277-1469

Answers That Matter.